

Amendment to the Claims

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims

CLAIM 1 (currently amended) An inhaling device for dispersing through the respiratory tract a ~~only one~~ dose of powdered medicaments contained in a capsule ~~at a time~~, said device comprising:

a body member having an externally accessible opening for positioning a capsule containing powdered medicaments at least partially means for holding the capsule within a first internal area within said body member ~~compartment inside said inhaling device;~~

means for splitting the capsule to release the powdered medicaments into a second internal area of said body member;

~~means for releasing the powdered medicaments contained in the capsule, said capsule enclosed in an outer case;~~

~~means for holding pieces of the case of the capsule after said case has been split and to prevent the powdered medicaments from aggregating; and~~

means for delivering to a user the released powdered medicaments contained within the body member of the capsule ~~released into the inhaling device.~~

CLAIM 2 (currently amended) The inhaling device according to claim 1 wherein said first internal area is a compartment is located inside a cover portion of said body member or inside one or more chambers within said body member ~~device~~, said compartment proximate said externally accessible opening ~~means for holding said capsule~~, into which the capsule is inserted and held therein during operation of incision of said capsule so as to aid in ~~guarantee~~ proper dispersion of the

powdered medicaments into the second internal area ~~contained in the capsule.~~

CLAIM 3 (original) The inhaling device according to claim 2 wherein said means for splitting said capsule is comprised of a cutting element, said cutting element comprised of a blade or pointed element.

CLAIM 4 (currently amended) The inhaling device according to claim 1 wherein said means for delivering the powdered medicaments includes a mouthpiece in communication with said second internal area from which the user can inhale the released powdered medicaments.

CLAIM 5 (original) The inhaling device according to claim 3, wherein the cutting element that cuts the capsule moves up and down by means of a spring.

CLAIM 6 (currently amended) The inhaling device of claim 1 ~~5~~ wherein ~~said means for holding the capsule comprises a body,~~ said body member comprising a first chamber with a ~~said~~ cover at one end, a second chamber cooperatively connected to said first chamber at said first chamber's opposite end, and a lower chamber cooperatively connected to a bottom end of said second chamber, said lower chamber including an aperture therein, said aperture adapted to house the released powdered medicaments ~~produced after breakage of the capsule thereby facilitating manufacturing and assembling and considerably reducing costs of the mass production of the device.~~

CLAIM 7 (cancelled)

CLAIM 8 (currently amended) The inhaling device of claim 217 wherein said means for preventing to hold the pieces of the ~~ease of the capsule after said capsule has been split and to prevent the powdered medicament from aggregating~~ comprises a reservoir having a series of slots on its walls to allow the released powdered medicaments to travel therethrough ~~held larger, aggregated pieces of the powdered medicament inside~~

~~while letting non-aggregated powdered medicament pass through thereby allowing the pieces of the case of the capsule to remain inside the reservoir, said reservoir having the function of preventing the powdered medicament from aggregating in a humid atmosphere, which may obstruct its dispersion into the lower chamber and the consequent inhalation by the user.~~

CLAIM 9 (currently amended) The inhaling device of claim 57 further comprising means ~~for securing the capsule within the device, said means for securing the capsule comprising said a cover for covering, which covers the first chamber, said cover having and two outer protrusions on a wall portion the cover's walls~~ that stop under a pair of inner protrusions of the first chamber, thereby preventing the cover from accidentally escaping from its place.

CLAIM 10 (currently amended) The inhaling device of claim 9 further comprising means to allow the cover to move perpendicularly with respect to ~~the~~ a positioned capsule until the cover abuts the inner protrusions, wherein said spring, inside the first chamber, touches an outer edge of the hollow portion of said second chamber on its lower side and an inner surface of the cover on its upper side.

CLAIM 11 (currently amended) The inhaling device of claim 8 wherein said means for splitting is a pointed element within said cover which passes through said spring ~~whereby~~ when pressure is applied to the cover to, ~~the pointed element will perforate the capsule placed into the hollow portion, thereby releasing the powder medicament into the aperture of said lower chamber and holding pieces of the case in the reservoir.~~

CLAIM 12 (currently amended) The inhaling device according to claim 117, wherein the capsule is ~~located in the hollow portion of said compartment~~ positioned in a substantially horizontal position when the cover is vertical, or in a substantially vertical position when the cover is

horizontal thereby allowing the cutting element to perforate the capsule when the cover is pressed respectively down in a vertical and perpendicular direction towards the capsule, or laterally, in a horizontal and perpendicular direction towards the capsule.

CLAIM 13 (currently amended) The inhaling device according to claim 3, wherein the operation of incision of the capsule and consequent inhalation of the powdered medicament by the user can be performed by holding the inhaling device with one hand, and rotating a ~~the~~ cover with the other hand until the cutting element connected to the cover touches a lower part of the capsule and the device is placed in the user's mouth and the powdered drug inhaled.

CLAIMS 14-20 (cancelled)

CLAIM 21 (new) The inhaling device of claim 1 further comprising means for preventing the cut capsule and at least some aggregated released powdered medicament from entering into the second internal area.

CLAIM 22 (new) The inhaling device according to claim 3 wherein the cutting element is made of plastic or other suitable material ensuring necessary stiffness, such that a sufficiently moderate force may split the capsule by means of the rotation of the cutting element.

CLAIM 23 (new) The inhaling device according to claim 1, wherein the body member can be formed by two parts that can be assembled to each other.

CLAIM 24 (new) The inhaling device according to claim 1, wherein said device can be conveniently and easily carried, due to its small size, and can simplify and reduce operations that must be performed for the inhalation of the powdered medicament by the user, the shape and position of the chambers of the device allowing the user to perform the operation of the

In re application of: Ivo E. Pera
Serial No. 10/759,743
Page 6

incision of the capsule and consequent inhalation of the powdered medicament with a single hand, using a single finger to cause the incision of the capsule, while with the rest of the hand of the user can place the device into his or her mouth and the powdered medicament inhaled.

CLAIM 25 (new) The inhaling device according to claim 1, wherein the body member is made of plastic material and may be disposed of after each use, so as to guarantee the greatest comfort.

CLAIM 26 (new) The inhaling device of claim 1 further comprising means for filtering the powdered medicaments disposed within said body member.

CLAIM 27 (new) The inhaling device of claim 26 wherein said means for filtering comprising a porous filter capable of holding any possible piece of the powdered medicament not completely pulverized.